



To the Honorable Council  
City of Norfolk, Virginia

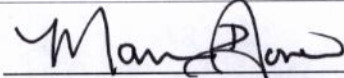
May 10, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exception to operate a commercial drive-through at 4231 East Little Creek Road – Wells Fargo Bank ATM**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 5/6

Approved:   
Marcus D. Jones, City Manager

Item Number:

**R-5**

I. **Staff Recommendation:** Approval.

II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.

III. **Request:** Special Exception to operate a commercial drive-through.

IV. **Applicant:** Robert Lopez

V. **Description:**

- The site is located within the East Beach Marketplace Shopping Center, near the corner of East Little Creek Road and Shore Drive.
- This request would allow Wells Fargo to construct a new 24-hour drive-up ATM kiosk on a portion of the shopping center parking lot.
- A sidewalk will be installed along the Shore Drive frontage to connect with the existing sidewalks on the property to the south of this site.
- As part of the site redevelopment, additional landscaping will be installed between the site and the Shore Drive frontage to screen the parking and drive-through lane.

VI. **Historic Resources Impacts**

The site is not located within a federal, state, or local historic district.

VII. **Public Schools Impacts**

This site is located within the Little Creek Elementary School, Azalea Middle School, and Lake Taylor High School Attendance Zones.

Staff point of contact: Chris Whitney at 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

**Attachments:**

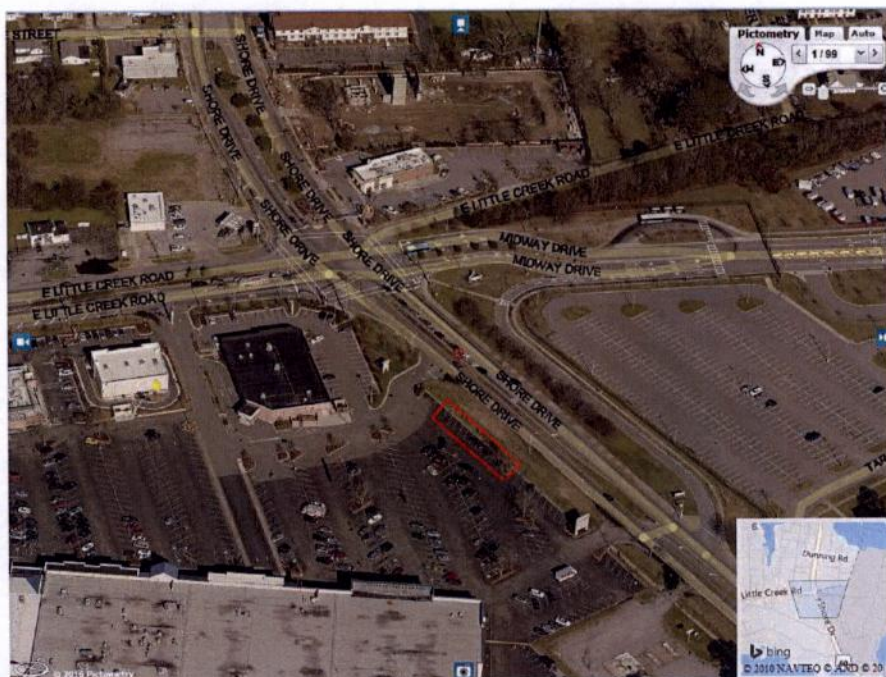
- Staff Report to CPC dated April 28, 2016 with attachments
- Proponents and Opponents
- Ordinance

**Planning Commission Public Hearing: April 28, 2016**

60 Executive Secretary: George M. Homewood, FAICP, CFM *JMW*

Planner: Chris Whitney, CFM *CW*

|                      |                             |  |
|----------------------|-----------------------------|--|
| Staff Report         | Item No.                    | C - 4  |
| Address              | 4231 East Little Creek Road |  |
| Applicant            | Wells Fargo Bank            |  |
| Request              | Special Exception           | Commercial Drive-Through   |
| Property Owner       | Little Creek Holdings, LLC  |  |
| Site Characteristics | Site/Building Area          | 18.8 acres/88 sq. ft. (kiosk)  |
|                      | Future Land Use Map         | Commercial   |
|                      | Zoning                      | C-3 (Retail Center District)   |
|                      | Neighborhood                | Camellia Shores/East Ocean View  |
|                      | Character District          | Suburban   |
| Surrounding Area     | North                       | C-3: CVS Pharmacy  |
|                      | East                        | City of Virginia Beach: Joint Expeditionary Base Little Creek-Fort Story   |
|                      | South                       | R-13 (Moderately High Density Multi-Family): Park Towne Apartments Complex |
|                      | West                        | C-3: East Beach Marketplace shopping center                                |





### A. Summary of Request

- The site is located within the East Beach Marketplace Shopping Center, near the corner of East Little Creek Road and Shore Drive.
- This request would allow Wells Fargo to construct a new 24-hour drive-up ATM kiosk on a portion of the shopping center parking lot.

### B. Plan Consistency

- The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.
- The Providing Transportation Options chapter of *plaNorfolk2030* includes an action calling for the development of complete streets, including provisions for bicycles and pedestrians such as sidewalks, multi-use paths, or sharrows.
- In order to be fully consistent with *plaNorfolk2030*, site improvements should be included that further the implementation of complete streets.
  - The applicant proposes to install a sidewalk along Shore Drive.

### C. Zoning Analysis

#### i. General

- The use is permitted in the C-3 district by special exception.
- The site is located within a large commercial shopping center and along two commercial corridors (E. Little Creek Road and Shore Drive).
- There is adjacent multi-family residential exposure to the south and southeast of the shopping center property; however, there is no direct residential exposure from this site where the proposed ATM facility will be located.
- The conceptual plan submitted by the applicant demonstrates compliance with *Zoning Ordinance* standards for a commercial drive-through, including appropriate landscape buffering between the development of the site and the Shore Drive frontage.
- The *Zoning Ordinance* requires three stacking spaces for an automated teller machine, with the starting point for the stacking spaces at the machine itself.
  - The proposed layout of this ATM kiosk meets this requirement.

#### ii. Parking

- The proposed project includes the removal of 10 parking spaces to accommodate the new ATM kiosk.
  - The East Beach Marketplace shopping center provides adequate on-site parking to accommodate the addition of this ATM facility, despite the removal of these spaces.

#### iii. Flood Zone

The property is located in the AE (High Risk), X, and X (Shaded) Flood Zones.

**D. Transportation Impacts**

- Institute of Transportation Engineers figures estimate that that a new drive through Automated Teller Machine in the parking lot for the adjacent shopping center will generate 139 new vehicle trips per day.
- Shore Drive adjacent to the site is an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

**E. Historic Resources Impacts**

The site is not located within a federal, state, or local historic district.

**F. Public Schools Impacts**

This site is located within the Little Creek Elementary School, Azalea Middle School, and Lake Taylor High School Attendance Zones.

**G. Environmental Impacts**

- The construction of a drive-up ATM facility should not adversely impact the surrounding uses.
- A sidewalk will be installed along the Shore Drive frontage to connect with the existing sidewalks on the property to the south of this site.
- As part of the site redevelopment, additional landscaping will be installed between the site and the Shore Drive frontage to screen the parking and drive-through lane.

**H. AICUZ Impacts**

N/A

**I. Surrounding Area/Site Impacts**

Over the past year there have been three calls for police service to the shopping center with no arrests made.

**J. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**K. Civic League**

- Notice was sent to the East Ocean View and Camellia Shores Civic Leagues on February 10.
- The applicant contacted the civic leagues on November 2, 2015.
- A letter of support was received from the East Ocean View Civic League on February 10.



#### **L. Communication Outreach/Notification**

- Legal notice was posted on the property on February 16.
- Letters were mailed to all property owners within 300 feet of the property on March 11.
- Legal notification was placed in *The Virginian-Pilot* on March 10 and March 17.

#### **M. Recommendation**

Staff recommends **approval** of the special exception request subject to the conditions below:

- (a) The site shall be generally designed and landscaping shall be installed in accordance with the conceptual site plan prepared by PSSI, dated March 17, 2016, entitled, "Proposed Plan," attached hereto and marked as "Exhibit A." The sidewalk depicted in the plan shall be installed along the Shore Drive frontage beginning at the northernmost portion of the project site and extending southwardly such that it connects with the existing sidewalk on property located at 7813 Shore Drive.
- (b) All landscaping installed on the site shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (c) All bollards on the site shall be painted and maintained free of visible corrosion.
- (d) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (e) The property shall be kept in a clean and sanitary condition at all times.

#### **Attachments**

Location Map  
Zoning Map  
Application  
Notice to the Civic Leagues  
Letter of Support from East Ocean View Civic League  
Letter to the Virginia Beach Department of Planning and Community Development

## **Proponents and Opponents**

### **Proponents**

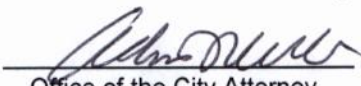
Nick Armstrong – Representative  
1627 S. Central Drive  
Glendale, CA 90631

### **Opponents**

None

Form and Correctness Approved: 

Contents Approved: CW

By   
Office of the City Attorney

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A COMMERCIAL DRIVE-THROUGH FOR "WELLS FARGO BANK ATM" ON PROPERTY LOCATED AT 4231 EAST LITTLE CREEK ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a Commercial Drive-Through for "Wells Fargo Bank ATM" on property located at 4231 East Little Creek Road. The property which is the subject of this Special Exception is more fully described as follows:

A portion of the property fronting 1,027 feet, more or less, along the southern line of East Little Creek Road beginning 200 feet, more or less, from the eastern line of Woodall Road and extending eastwardly; said property also fronts 1,185 feet, more or less, along the northern line of Flowerfield Road and 454 feet, more or less, along the western line of Shore Drive; said portion of property that is subject to this special exception fronts 100 feet, more or less, along the western line of Shore Drive beginning at a point 80 feet, more or less, south of the northernmost portion of the property along Shore Drive and extending southwardly; premises numbered 4231 East Little Creek Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The site shall be generally designed and landscaping shall be installed in accordance with the conceptual site plan prepared by PSSI, dated March 17, 2016, entitled, "Proposed Plan," attached hereto and marked as "Exhibit A." The sidewalk depicted in the plan shall be installed along the Shore Drive frontage beginning at the



northernmost portion of the project site and extending southwardly such that it connects with the existing sidewalk on property located at 7813 Shore Drive.

- (b) All landscaping installed on the site shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (c) All bollards on the site shall be painted and maintained free of visible corrosion.
- (d) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (e) The property shall be kept in a clean and sanitary condition at all times.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;



- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:  
Exhibit A (1 page)



# EXHIBIT A

## NOTES

- |  |  |   |                                  |
|--|--|---|----------------------------------|
| 1 NEW DRIVE-UP ISLAND WITH ATM                           | 3 NEW WHITE DIRECTION PARKING LOT ARROWS | 5 NEW WHITE STOP LINE                   | 7 NEW 5 FT. WIDE PUBLIC SIDEWALK |
| 2 NEW 4" WIDE WHITE DIAGONAL PARKING STRIPING @ 36" O.C. | 4 NEW 12" HIGH WHITE LETTERS             | 6 NEW BORING PATH OF ELECTRICAL CONDUIT |                                  |

## LANDSCAPE NOTES

- 1 NEW "FROST PROOF GARDENIA" SHRUBS

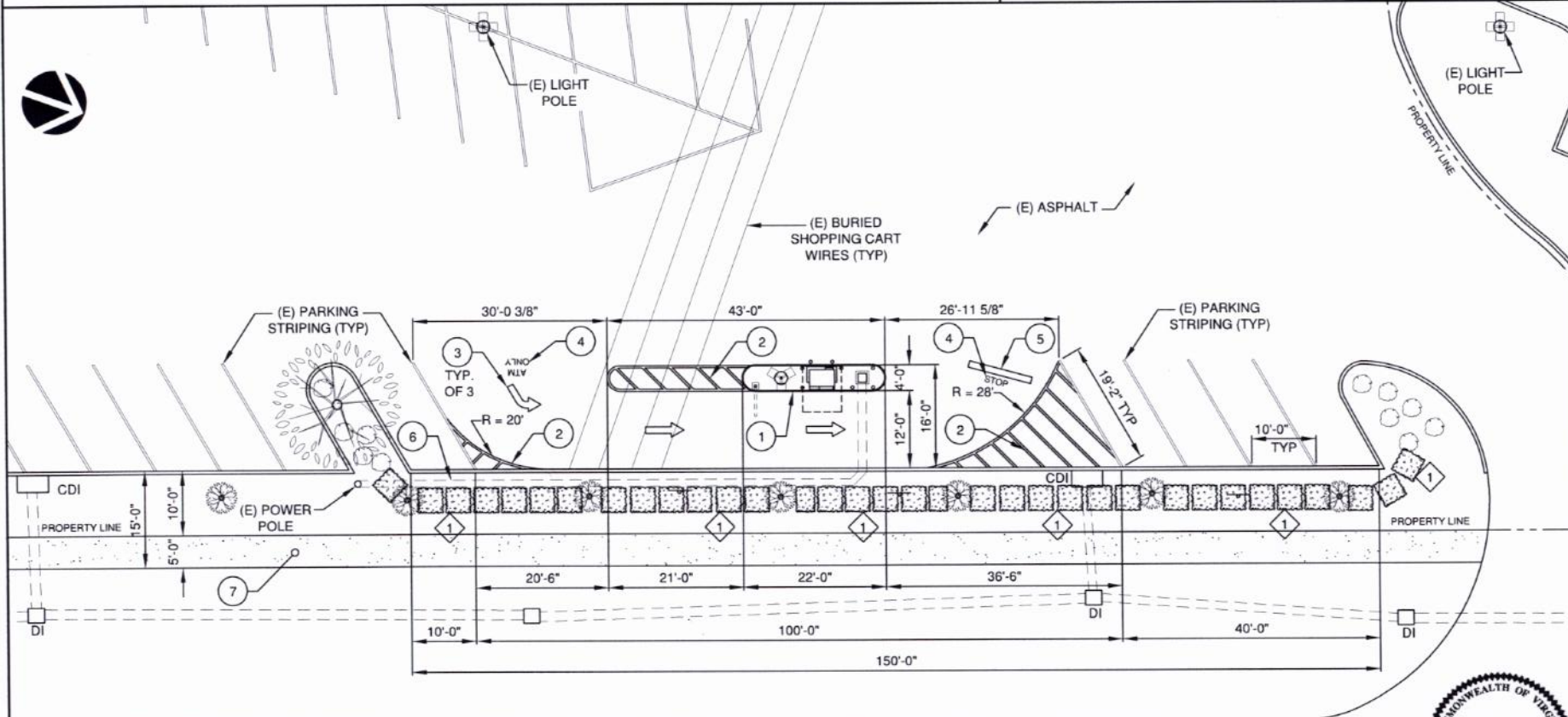
LATIN NAME: GARDENIA JASMINOIDES "FROSTPROOF"

WATERING NEEDS: NEEDS REGULAR WATERING - WEEKLY

MATURE HEIGHT: 5 FT.  
MATURE WIDTH: 4 FT.

### PLANTING NOTE:

- SHRUBS SHALL BE INSTALLED AT 18" IN HEIGHT AND SHOULD REACH 3 FEET IN HEIGHT IN 3 YEARS.
- PLANTS SHALL BE SPACED THAT WHEN MATURE, THEY ARE A CONTINUOUS BUFFER. SHRUBS SHALL CONNECT TO EXISTING SHRUBS IN PARKING LOT PENINSULAS.
- SHRUBS WILL BE MAINTAIN / TRIMMED TO 3 FT IN HEIGHT, AS PER ATM SECURITY REQUIREMENTS.



PROPOSED PLAN

SCALE: 1/16" = 1'-0" 1

McPHERSON  
DESIGN  
GROUP P.C.  
STRUCTURAL ENGINEERS  
6377 Center Drive, Suite 100  
Norfolk, Virginia 23502-4132  
Phone (757) 965-2000  
Facsimile (757) 965-2007  
www.McPhersonDesignGroup.com

WELLS  
FARGO

PSSI  
A Wells Fargo Bank  
Services Company  
1627 South Central Avenue  
Glendale, CA 91204

REVISIONS  
A REC & PARK 02/18/16  
B PLAN CONSN 03/24/16  
C  
D

WELLS FARGO BANK  
EAST BEACH MARKETPLACE ATM  
4253 E LITTLE CREEK ROAD  
NORFOLK, VA 23518

COMMONWEALTH OF VIRGINIA  
ROLAND E. McPHERSON  
Lic. No. 11159  
PROFESSIONAL ENGINEER

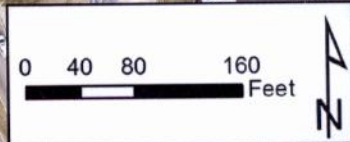
DESIGNED BY  
A. PRICE  
CHECKED  
DATE  
03/17/2016  
SCALE  
AS NOTED  
TITLE  
PROPOSED  
PLAN  
SHEET  
A3



**Location Map**

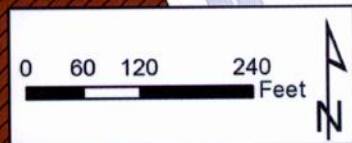
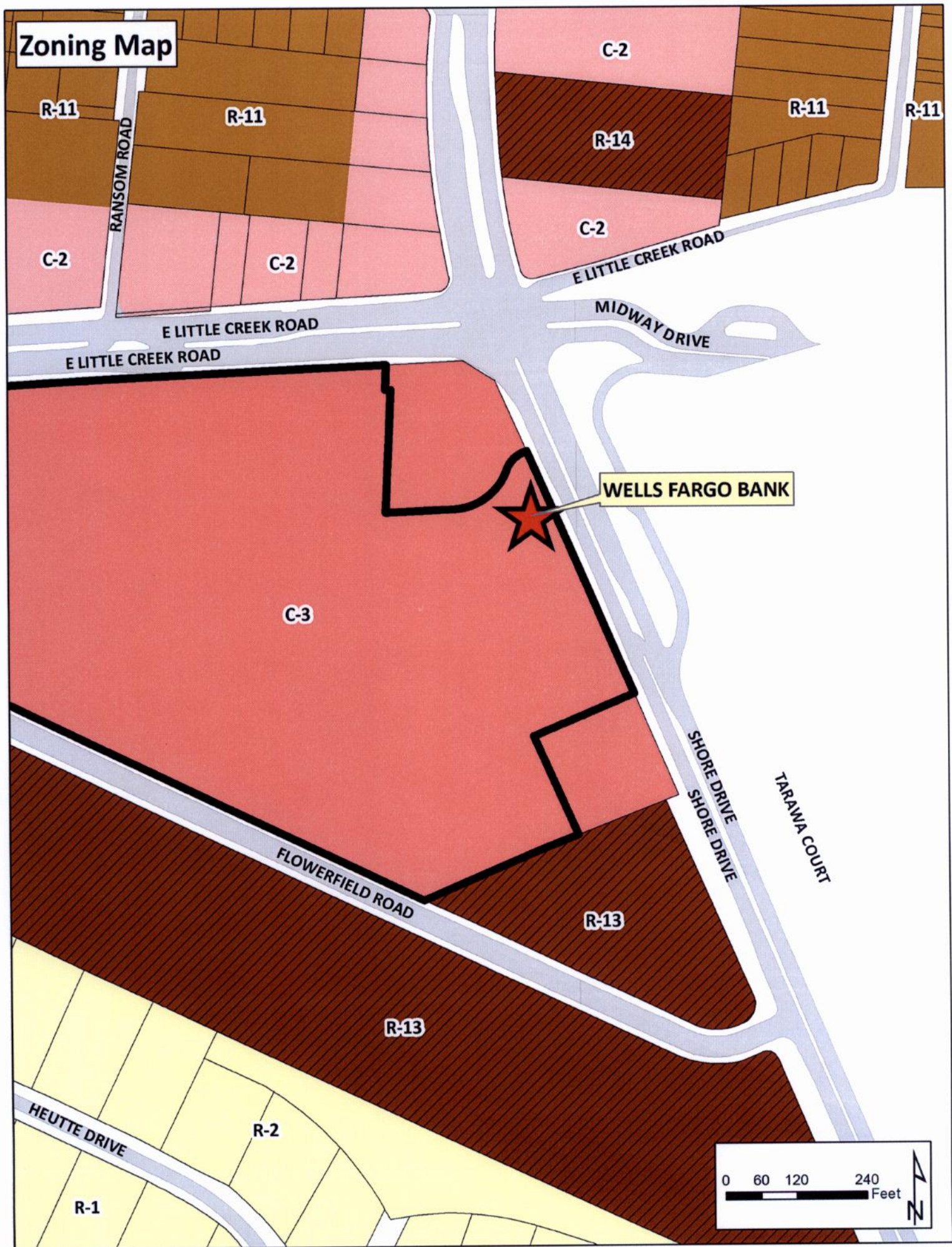


**WELLS FARGO BANK**





# Zoning Map





## APPLICATION SPECIAL EXCEPTION

Special Exception for: EAST BEACH MARKETPLACE WELLS FARGO ATM

Date of application: 1-26-16

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 4231 E (Street Name) LITTLE CREEK ROAD

Existing Use of Property COMMERCIAL RETAIL

Current Building Square Footage 163,275

#### Proposed Use

DRIVE UP ATM IN PARKING LOT

Proposed Square Footage 88

#### Proposed Hours of Operation:

Weekday From 12:00 AM To 11:59 PM

Friday From 12:00 AM To 11:59 PM

Saturday From 12:00 AM To 11:59 PM

Sunday From 12:00 AM To 11:59 PM

Trade Name of Business (If applicable) WELLS FARGO BANK ATM

### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



**Application  
Special Exception  
Page 2**

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last)  (First)  (MI)

Mailing address of applicant (Street/P.O. Box):

(City)  (State)  (Zip Code)

Daytime telephone number of applicant ()  Fax ()

E-mail address of applicant:

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last)  (First)  (MI)

Mailing address of applicant (Street/P.O. Box):

(City)  (State)  (Zip Code)

Daytime telephone number of applicant ()  Fax ()

E-mail address of applicant:

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

*LITTLE CREEK INVESTMENT CORP.*

3. Name of property owner: (Last)  (First)  (MI)

Mailing address of property owner (Street/P.O. box):

(City)  (State)  (Zip Code)

Daytime telephone number of owner ()  email:

**DEPARTMENT OF CITY PLANNING**  
810 Union Street, Room 508  
Norfolk, Virginia 23510  
Telephone (757) 664-4752 Fax (757) 441-1569  
(Revised January, 2015)

Application  
Special Exception  
Page 3

**CIVIC LEAGUE INFORMATION**

Civic League contact: Camellia Gardens - Heather Trollinger (htrollinger@hotmail.com) & Camellia Shores - Mary Hass (marydwh@msn.com)

Date(s) contacted: 02 NOV 2015

Ward/Super Ward information: Ward 5 - Tommy R Smigiel Jr. / Superward 6 - Barclay C Winn

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

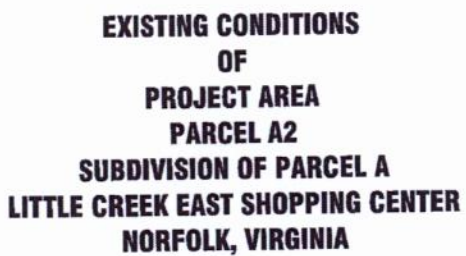
Print name: DENBEIGH MERCHANT Sign: [Signature] 1/20/2016  
(Property Owner or Authorized Agent of Signature) (Date)  
AS AGENT FOR LITTLE CREEK INVESTMENT CORP.

Print name: Robert Lopez Sign: [Signature] 01/22/2016  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
(Authorized Agent Signature) (Date)





GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

DATE: DEC. 9, 2015

SCALE: 1" = 30'

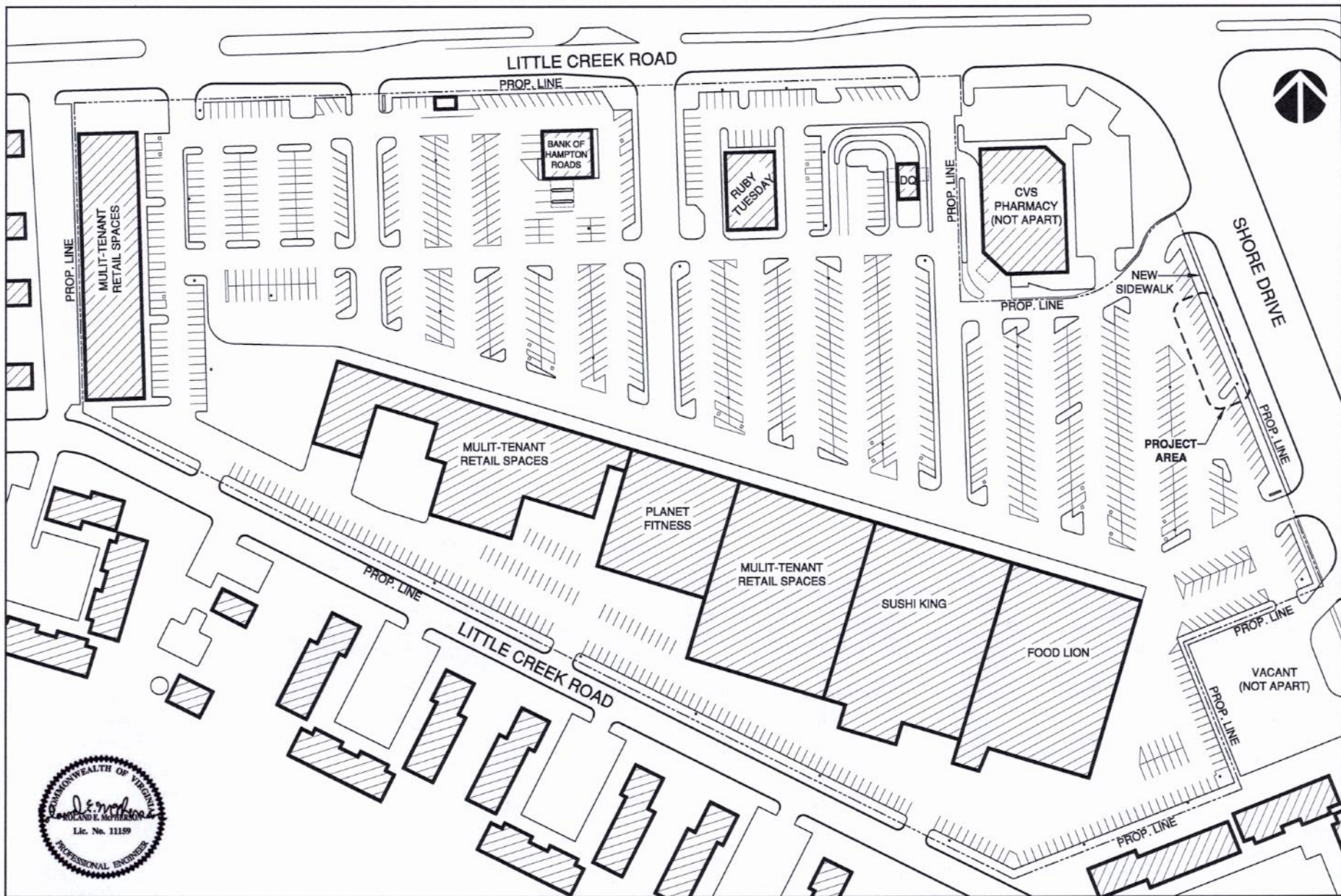
DRAWN BY: WTL

CHECKED BY: DHH

JOB NO. 15-1075

SHEET 1 OF 1





SITE PLAN

SCALE: 1" = 100'-0" 1

**McPHERSON  
DESIGN  
GROUP P.C.**  
STRUCTURAL ENGINEERS  
8071 Center Drive, Suite 100  
York, Virginia 23693-4100  
Phone (757) 985-0000  
Facsimile (757) 985-0001  
www.McPhersonDesignGroup.com

**WELLS  
FARGO**

**PSSI**  
A SunLife Bank  
Service Company  
1827 South Central Avenue  
Glendale, CA 91204

| REVISIONS |                     |
|-----------|---------------------|
| A         | REC & PARK 02/19/16 |
| B         | PLAN COMEN 03/24/16 |
|           |                     |
|           |                     |

**WELLS FARGO BANK**  
EAST BEACH MARKETPLACE ATM  
4253 E LITTLE CREEK ROAD  
NORFOLK, VA 23518

|              |            |
|--------------|------------|
| DESIGNED BY: | A. PRICE   |
| CHECKED:     |            |
| DATE:        | 03/17/2016 |
| SCALE:       | AS NOTED   |
| TITLE:       | SITE PLAN  |
| PROJECT:     | A1         |



(A) SAWCUT ASPHALT FOR CONCRETE ISLAND FOOTING     
 (B) REMOVE EXISTING PARKING STRIPING     
 (C) EXISTING BURIED SHOPPING CART WIRES TO REMAIN

**A** 10" CREPE MYRTLE  
5' DL      **B** 18" SYCAMORE  
20' DL      **C** SHRUBS  
3' DL      **D** GRASS



SCALE: 1/16" = 1'-0" (1)

|                                      |
|--------------------------------------|
| DRAWN BY:<br><b>A. PRICE</b>         |
| CHECKED:<br><br>                     |
| DATE:<br><b>03/17/2018</b>           |
| SCALE:<br><b>AS NOTED</b>            |
| TITLE:<br><b>DEMOLITION<br/>PLAN</b> |
| SHEET:<br><b>A2</b>                  |

## Whitney, Chris

---

**From:** Straley, Matthew  
**Sent:** Wednesday, February 10, 2016 11:25 AM  
**To:** 'greenie4720@yahoo.com'; 'marydwh@msn.com'  
**Cc:** Smigiel, Thomas; Winn, Barclay; Herbst, James; Whitney, Chris  
**Subject:** new Planning Commission application - 4231 E Little Creek Road  
**Attachments:** Wells Fargo ATM.pdf

Mr. Greene and Ms. Haas,

Attached please find the application for a special exception to operate a commercial drive-through at 4231 East Little Creek Road.

The item is tentatively scheduled for the March 24, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Chris Whitney* at (757) 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

Thank you.

Matthew Straley  
GIS Technician II



City Planning  
810 Union Street, Suite 508  
Norfolk, VA 23510  
757-664-4769

Connect with us:  
[www.norfolk.gov](http://www.norfolk.gov)





## Whitney, Chris

---

**From:** John Greene <greenie4720@yahoo.com>  
**Sent:** Wednesday, February 10, 2016 11:47 AM  
**To:** Straley, Matthew; marydwh@msn.com  
**Cc:** Smigiel, Thomas; Winn, Barclay; Herbst, James; Whitney, Chris; Ann Bolen  
**Subject:** Re: new Planning Commission application - 4231 E Little Creek Road

Though technically not in the EOVC Civic League area, per se, I have no objections to this and welcome the addition of another bank to our nearby area. On a personal note, I've been a Wells Fargo customer for decades, literally, and this will be far more convenient for me and other customers than driving the additional 2 miles down E. Little Creek. John Greene, President, East Ocean View Civic League

On Wednesday, February 10, 2016 11:25 AM, "Straley, Matthew" <Matthew.Straley@norfolk.gov> wrote:

Mr. Greene and Ms. Haas,

Attached please find the application for a special exception to operate a commercial drive-through at 4231 East Little Creek Road.

The item is tentatively scheduled for the March 24, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Chris Whitney at (757) 823-1253*, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

Thank you.

Matthew Straley  
GIS Technician II

THE CITY OF  
**NORFOLK**  
City Planning  
810 Union Street, Suite 508  
Norfolk, VA 23510  
757-664-4769

Connect with us:  
[www.norfolk.gov](http://www.norfolk.gov)



March 7, 2016

City of Virginia Beach  
Department of Planning and Community Development  
Barry Frankenfield  
2405 Courthouse Drive, Building 2, Room 115  
Virginia Beach, VA 23456

Dear Mr. Frankenfield,

The Norfolk Department of City Planning has recently received an application by **WELLS FARGO BANK** to operate a commercial drive-through facility on property located at 4231 E. Little Creek Road, and located within one-half mile of the western corporate boundary of the City of Virginia Beach.

This item is tentatively scheduled for the Norfolk City Planning Commission public hearing to be held on March 24, 2016 at 2:30 p.m. in the City Council Chambers, 11th Floor, City Hall Building, Civic Center, Norfolk, Virginia.

If you would like additional information on the request, you may contact the applicant, Robert Lopez at (818) 242-0400, [robert.lopez@sterlingbankservices.com](mailto:robert.lopez@sterlingbankservices.com), or you may telephone Chris Whitney on my staff at (757) 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov). A copy of the complete application is enclosed.

This notice is being sent in accordance with the advertising requirements of the Code of Virginia, section 15.2-2204(c); pertaining to certain land use applications involving any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth. Because this notice is within the 10-day period before the scheduled date indicated above, you are asked to acknowledge your acceptance and receipt of this actual notice, in accordance with Virginia Code section 15.2-2204(c), either by signing a copy of this letter or by separate correspondence sent to this office.

Sincerely,



George Homewood, AICP, CFM  
Department of City Planning  
Director

cc: Chris Whitney, CFM (email)